



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Image 1616 B

**SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT**

Docket Number:
11411/115

Application Number
09/482,688

Filing Date
January 13, 2000

Examiner
Frank I. Choi

Art Unit
1616

Invention Title

**FOOD SUPPLEMENT FOR INCREASING LEAN
MASS AND STRENGTH**

Inventor(s)

Paul T. Gardiner et al.

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on

Date: January 21, 2004

Signature: John F. Resek

John F. Resek (Reg. No. 52,162)

Sir:

1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the attached references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.
2. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).
3. A copy of each reference cited is enclosed.

**I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as first class mail
in an envelope addressed to:**

**Mail Stop _____
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on**

Date: January 22, 2004

Signature: Chandru Somana

09482688

000000107 116600

100.00 DA

01/29/2004 000000107 116600
01 FF:1086

4. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. §1.17(p) (submission of an information disclosure statement under §1.97(c)) fee of **\$180.00** and any additional fees that may be required to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

Dated: 1/22/04

By:


John F. Resek (Reg. No. 52,162)

KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)

CUSTOMER NO. 26646

INFORMATION DISCLOSURE STATEMENT BY APPLICANT PTO-1449 	DOCKET NO. 11411/115	SERIAL NO. 09/482,688
	APPLICANT Paul T. Gardiner et al.	
	FILING DATE January 13, 2000	GROUP 1616

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	PATENT DATE	NAME	CLASS	SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS

EXAMINER INITIAL	AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.	
	Burke, D.G., et al. The effect of whey protein supplementation and resistance training on body composition and strength. Med Sci Sports Exer. 32 (5): s330, May 2000.	
	Kalman, D.S. et al. A clinical evaluation of the safety of high protein intake over 28 days in healthy resistance trained men. ACSM, 2001.	
	Swain, M. et al. Effects if whey protein concentrate/isolate supplementation versus whey protein concentrate in weight-trained athletes: A double blind trial. American College of Nutrition conference, October 12-15, October 2000.	

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	